

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

V.

CAUSE NO.: 1:11CR114-SA

JAMES WILLIAM SMITH

DEFENDANT

ORDER ON MOTION FOR RELEASE OF FUNDS

Defendant James William Smith has filed a Motion for Release of Funds [167] asking for the return of \$4,850.00 paid in fines and special assessments into the Court's registry.

This case has a lengthy procedural history which includes the imposition of a \$15,000 fine and \$100 special mandatory assessment at conviction. The Fifth Circuit then vacated that conviction, and on return to the district court, the Government sought to dismiss the Indictment. Defendant, in the meantime, began making installment payments on the monies owed. In total, Smith paid \$3,750.00 into the Crime Victims Fund of the Northern District of Mississippi. He additionally paid the \$100 special assessment required by the Court.

As his conviction has since been vacated and his Indictment dismissed, Smith is due a refund of the money paid into the Northern District's treasury. Smith contends he is owed \$4,850.00; however, \$1,000.00 was previously refunded as the bond for Defendant. *See* Order Granting Motion to Refund Bond Money [97].

As such, the Motion for Release of Funds [167] is GRANTED in part.

The Clerk of Court shall remit payment in the amount of \$3,850.00 to James William Smith.

SO ORDERED, this the 26th day of June, 2017.


U.S. DISTRICT JUDGE